

NORTH SYDNEY COUNCIL
CONDITIONS OF DEVELOPMENT APPROVAL
WITHOUT PREJUDICE
8-20 NAPIER STREET, NORTH SYDNEY
DEVELOPMENT APPLICATION NO. 222/12

A. *Conditions that Identify Approved Plans*

Development in Accordance with Plans

- A1. The development being carried out in accordance with drawings numbered AX004165_DA001 (Rev.03), DA101 (Rev.03), DA202 (Rev.04), DA211 (Rev.04), DA212 (Rev.04), DA213 (Rev.04), DA214 (Rev.01), DA217 (Rev.03), DA218 (Rev.03), DA501 (Rev.03), DA502 (Rev.03), DA503 (Rev.03), and DA601 (Rev.03) dated 18/9/12, drawn by Hassell, received by Council on 21/9/12 and endorsed with Council's approval stamp, except where amended by the following conditions.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information)

Plans on Site

- A2. A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) shall be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information and to ensure ongoing compliance)

No Demolition of Extra Fabric

- A3. Alterations to, and demolition of the existing building shall be limited to that documented on the approved plans. No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is shown to be retained.

(Reason: To ensure compliance with the approved development)

External Finishes and Materials

- A4. The colour and type of all external materials shall generally be in accordance with the submitted Sample Boards (1 of 2 & 2 of 2), prepared by Hassell and received at Council on 25/10/12.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information)

Height Reduction

- A5. The height of the northern part of the building addition that accommodates the new student lobby and vertical access is to be reduced by two (2) levels so as to extend from Level 4 (ground) to Level 7 only, with a lift overrun above to the extent specified in the architectural drawings.

In this regard, consent is also given to the provision of internal stair and platform lift access within the existing building floor plate between Levels 7 and 9, provided it complies with the Building Code of Australia and relevant access standards.

(Reason: To minimise residential amenity impacts and maintain functionality of the development)

B. Ancillary Matters to be Completed Prior to Commencement of Works

Construction and Traffic Management Plan

- B1. Prior to the commencement of any work(s) the Applicant must have a *Construction and Traffic Management Plan* prepared and submitted to Council for approval by the North Sydney Traffic Committee. The following matters must be specifically addressed in the Plan:

1. **A plan view (min 1:100 scale) of the entire site and frontage roadways indicating:**
 - a) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
 - b) RTA approved signage type and location to manage pedestrian in the vicinity,
 - c) The locations of any proposed Work Zones in the frontage roadways,
 - d) Locations and type of hoardings proposed,
 - e) Area of site sheds and the like,
 - f) Location of any proposed crane standing areas,
 - g) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
 - h) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
 - i) The provision of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.

2. **A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided.**
 - a) Light traffic roads and those subject to a load or height limit must be avoided at all times.
 - b) Once approved, a copy of the route is to be made available to all contractors, and shall be clearly depicted at a location within the site.
3. **Traffic Control Plan(s) for the site**
 - a) All traffic control devices installed in the road reserve must be in accordance with the RTA publication "Traffic Control Worksite Manual" and be designed by a person licensed to do so (minimum RTA 'red card' qualification).
 - b) The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.

A suitably qualified and experienced traffic consultant shall prepare the Construction and Traffic Management Plan. The construction management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of, and during, works on-site.

As the plan has a direct impact on the local road network and public amenity, the plan must be submitted to Council and reviewed and approved by the North Sydney Traffic Committee. A written approval from Council shall be obtained (attesting to this condition being appropriately satisfied) and must be sighted as part of the supporting documentation lodged with the Certifying Authority prior to any work(s) commencing.

Notes:

- 1) North Sydney Council's adopted fee for certification of compliance with this condition shall be payable on lodgement, or in any event, prior to the issue of the relevant approval.
- 2) Any use of Council property shall require the necessary approvals prior to such work commencing (e.g crane standing, work zone, hoarding, stand plant and the like).
- 3) Failure to provide complete and detailed information may result in delays. It is recommended that your Construction Management Plan be lodged with Council as early as possible.
- 4) Dependent on the circumstances of the site, Council may request additional information to that detailed above.

(Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the demolition process in a manner that respects adjoining owner's property rights and residential amenity in the locality, without unreasonable inconvenience to the community)

C. Prior to any Commencement

Dilapidation Report Damage to Public Infrastructure

- C1. The applicant must have a dilapidation survey and report (including photographic record) prepared which details the pre-developed condition of the existing public infrastructure in the vicinity of the development site. Particular attention must be paid to accurately recording any pre-developed damaged areas so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development. The developer may be held liable to all damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded and demonstrated as pre-existing under the requirements of this condition.

The applicant shall bear the cost of restoration of all infrastructure damaged as a result of the development, and no occupation of the development shall occur until damage is rectified. A copy of the dilapidation report must be lodged with North Sydney Council by the Certifying Authority with submission of the Construction Certificate documentation.

(Reason: To ensure protection of existing built infrastructure)

Structural Adequacy of Existing Building

- C2. A Certificate prepared by an appropriately qualified and practising structural engineer, certifying the structural adequacy of the property and its ability to withstand the proposed additional, or altered structural loads during all stages of construction shall be submitted to the Certifying Authority prior to issue of the Construction Certificate. The certificate shall also include all details of the methodology to be employed in construction phases to achieve the above requirements.

(Reason: To ensure the structural integrity of the building is maintained)

Waste Management Plan

- C3. A Waste Management Plan is to be submitted with the Construction Certificate. The plan should include, but not be limited to: -
- a) The estimated volume of waste and method of disposal for the construction and operation phases of the development;
 - b) The design of the on-site waste storage and recycling area; and
 - c) Administrative arrangements for waste and recycling management during the construction process.

(Reason: To encourage the minimisation of waste and recycling of building waste)

External Colours and Finishes

- C4. The external colours and finishes shall match those as existing and/ or be compatible with surrounding development. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure that the completed colours and finishes of the works are compatible with surrounding development)

Reflectivity Index of Glazing

- C5. The reflectivity index (expressed as a percentum of the reflected light falling upon any surface) of external glazing for windows, walls or roof finishes of the proposed development is to be no greater than 20%. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

Note: The reflectivity index of glazing elements can be obtained from glazing manufacturers. Glass with mirrored or reflective foil finishes is unlikely to achieve compliance with this requirement.

(Reason: To ensure that excessive glare or reflectivity nuisance from glazing does not occur as a result of the development)

Roofing Materials - Reflectivity

- C6. Roofing materials shall be factory pre-finished with low glare and reflectivity properties to be compatible with the colours of neighbouring buildings. The selected roofing material must not cause a glare nuisance or excessive reflectivity to adjoining or nearby properties. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure that excessive glare or reflectivity nuisance from roofing materials does not occur as a result of the development)

No External Service Ducts

- C7. Service ducts shall be provided within the building to keep external walls free of plumbing, drainage or any other utility installations. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure quality built form of the development)

Work Zone

- C8. If a Works Zone is proposed, an application must be made to the North Sydney Local Traffic Committee to install the 'Work Zone'. Works Zones are provided specifically for the set down and pick up of materials and not for the parking of private vehicles associated with the site. Works Zones will generally not be approved where there is sufficient space on-site for the setting down and picking up of goods being taken to or from a construction site. If the Works Zone is approved by the Committee, the Applicant must obtain a written copy of the related resolution from the North Sydney Local Traffic Committee and submit a copy of this to the Certifying Authority to enable issue of the Construction Certificate.

Where approval of the 'Work Zone' is resolved by the Committee, the necessary 'Work Zone' signage shall be installed (at the cost of the Applicant) and the adopted fee paid prior to commencement of any works on the site. Further, at the expiration of the Works Zone approval, the Applicant is required to remove the Works Zone signs and reinstate any previous signs, all at the Applicant's cost.

(Reason: Amenity and convenience during construction)

Maintain Property Boundary Alignment Levels

- C9. Unless otherwise approved by Council, the property boundary alignment levels must match existing. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure interface between property and public land remains uniform)

Parking Meter Relocation

- C10. All costs associated with relocating the metered parking including all sign changes, parking bay line markings shall be paid in full to North Sydney Council prior to issue of any Construction Certificate.

The Certifying Authority must ensure that the specifications submitted by the Applicant, accompanying the issued Construction Certificate, fully satisfy this condition.

(Reason: To ensure the proper management of public land and funds)

Bicycle Storage and Parking

C11. Bicycle parking must be provided as follows:

- (a) A minimum of a "Facility Class 2" type bicycle parking, in accordance with AS2890.3, capable of accommodating at least twenty-two (22) bicycles are to be provided in place of some of the basement parking spaces otherwise allocated for use by staff; and
- (b) A minimum of a "Facility Class 3" type bicycle parking (rails/racks), in accordance with AS2890.3, capable of storing at least twenty (20) bicycles are to be provided for students and visitors. The racks/rails are to be located in a prominent, safe, accessible and convenient location; and
- (c) All aspects of the bicycle parking and storage facilities must comply with Australian Standard AS2890.3.

(Reason: To promote and provide facilities for alternative forms of transport)

Cycle Shower Facilities (Commercial and Mixed Use)

C12. End-of-trip facilities for cyclists must be provided. Shower facilities shall be provided and made accessible without charge to cyclists who are students or who work in the building. The Certifying Authority must ensure that the construction drawings and specifications submitted by the Applicant fully satisfy the requirements of this condition.

(Reason: To promote and provide facilities for alternative forms of transport)

Parking for People with Disabilities

C13. A total of two (2) car-parking spaces for use by persons with a disability shall be provided as part of the total car-parking requirements. Consideration must be given to the means of access from the car-parking spaces to adjacent buildings, to other areas within the building and to footpath and roads and shall be clearly shown on the plans submitted to the Certifying Authority for approval with the Construction Certificate. All details shall be prepared in consideration of, and construction completed in accordance with applicable Australian Standards to achieve compliance with the Disability Discrimination Act.

(Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation)

Required Infrastructure Works –Roads Act 1993

C14. Prior to issue of the commencement of any work(s) the applicant must have engineering design plans and specifications prepared by a qualified civil design engineer. The plans and specifications must be to a detail suitable for construction issue purposes and must provide detail and specification for the following infrastructure works to be completed as part of the development:

Drainage works

Connection of the site stormwater system must be made directly to a newly constructed grated gully pit (with lintel), to front the site on Napier Street. To accommodate this requirement, the following drainage infrastructure works must be carried out on Council property at the Applicants expense:-

- a) Construction (replacement on the same position) of 2 standard grated gully pit with extended kerb inlet (1.8m lintel) in the kerb fronting the subject site in Napier Street. The pit must be constructed in accordance with Councils "Infrastructure Specification for Roadworks, Drainage and Miscellaneous Works".

Private Certifying Authorities must not permit any commencement of work without the formal written approval of the construction issue documentation by Council (as Roads Authority) under the Roads Act 1993.

The required plans and specifications are to be designed in accordance with North Sydney Council's current documents Infrastructure Specification for Road Works, Drainage and Miscellaneous Works and Performance Guide for Engineering Design and Construction. The drawings must detail existing utility services and trees affected by the works, erosion control requirements and traffic management requirements during the course of works. Detailed survey must be undertaken as required. Traffic management is to be certified on the drawings as being in accordance with the documents SAA HB81.1 – 1996 – Field Guide for Traffic Control at Works on Roads – Part 1 and RTA Traffic Control at Work Sites (1998). **Construction of the works must proceed only in accordance with any conditions attached to the Council Roads Act 1993 approval.**

A minimum of 21 days will be required for Council to assess Roads Act submissions. Early submission is recommended to avoid any delays in obtaining a Construction Certificate. A fee to cover cost of assessment (set out in Council's adopted fees and charges) is payable and Council will withhold any consent and approved plans until full payment of the correct fees. Plans and specifications must be marked to the attention of Council's Development Engineers. In addition, a copy of this condition must be provided, together with a covering letter stating the full address of the property and the accompanying DA number.

(Reason: To ensure infrastructure works are designed and constructed to appropriate standards and requirements of the Roads Act 1993)

Obtain Driveway Crossing Permit

- C15. Prior to the commencement of any work(s), the applicant must obtain from North Sydney Council a driveway crossing and road infrastructure works **permit** to suit the approved off-street parking facilities. To obtain the permit, an application must be made to Council on a '*Vehicular Access Application*' form with payment of the adopted assessment/inspection fees. Council will require civil design construction drawings and certification from the applicant's Civil Engineer to verify design details and enable permit issue. The civil design drawings shall detail **the following infrastructure construction requirements of Council in relation to the consent:**

- a) The required vehicular access way in Napier Street shall be built from "Charcoal" standard interlocking concrete pavers (Council's standard drawing No. 7025) and shall comply with AS 2890.1 and Council's current Vehicular Access Application Guidelines and Specification (gutter bridges not permitted) to ensure that a B85 vehicle will not scrape/strike the surface of the carriageway, layback, vehicular crossing or parking floor.
- b) The required vehicular crossing shall match the existing in width, by position and levels (approximately 5m including the wings).
- c) The boundary levels at crossing and gutter invert levels shall match the existing levels and shall not be altered unless agreed to by Council.
- d) The Certifying Authority must ensure that the internal property levels at boundary matches councils boundary levels.
- e) The full property frontage kerb gutter, and 600 mm road shoulder wide-strip, adjacent to all new layback and gutter works, on Napier Street shall be reconstructed, to ensure uniformity in the road reserve.
- f) Construction of a fully new replacement footpath is required across the entire site frontage in Napier Street. The footpath pavement shall be full width constructed of concrete pavers, in accordance with Council's standard drawings No S401, S403, S404 and S405, placed adjacent to the front boundary of the property. In general, the pavers selected should match any pavers already laid in the same city block. The footpath shall be designed at the existing levels and gradients (generally at a single straight grade of 3% falling to top of kerb) so that it is uniform without showing signs of dipping or rising particularly at entrances.
- g) All inspection openings, utility services shall be adjusted to match the proposed driveway levels and location.
- h) A swept path analysis is required demonstrating that an 85th percentile vehicle can maneuver in and out of the garage spaces in accordance with AS 2890.1 2004 "Off Street Parking".

All driveway and infrastructure works on the road reserve must proceed in accordance with the terms of the permit issued by Council. Inspections by Council will be required as specified on the permit. The Certifying Authority must ensure that the permit issued by Council is obtained prior to its issue, is referenced on and accompanies the construction drawings.

(Reason: To facilitate appropriate vehicular access to private sites, without disruption to pedestrian and vehicular traffic)

Stormwater Management and Disposal Design Plan – Construction Issue Detail

C16. Prior to commencement of any work(s), the applicant shall have a site drainage management plan prepared by a qualified drainage design engineer. The site drainage management plan must detail the following requirements of North Sydney Council:

- a) Compliance with BCA drainage requirements, Councils Engineering Performance guide and current Australian Standards and guidelines, such as AS/NZ3500.3.2 1998, National Plumbing and Drainage Code.

- b) Stormwater runoff and subsoil drainage generated by the approved building extension must be conveyed in a controlled manner by gravity via a direct connection to Council's stormwater gully pit in Napier Street. When a direct connection to the pit option is implemented then the pipeline within the footpath area shall have a minimum cover of 300mm.
- c) The stormwater drainage system shall be designed for an average recurrence interval (A.R.I.) of 1 in 20 years.
- d) All redundant stormwater pipelines within the footpath area (if any) shall be removed and the footpath and kerb reinstated.

The Certifying Authority must ensure that the construction drawings and specifications submitted by the Applicant fully satisfy the requirements of this condition.

(Reason: Proper disposal of stormwater)

Upgrade of existing building – Fire Spread and Safe Egress

- C17. Council considers, pursuant to clause 94 of the EP&A Regulation 2000, that it is appropriate to require aspects of the existing building to be brought into conformity with the Building Code of Australia (BCA) as it relates to fire and life safety.

Prior to the commencement of any work(s), building upgrade works must be detailed on plans and specifications required pursuant to clause 139 of the Regulation. Plans and specifications are to reflect the fire and amenity upgrading measures and works recommended in the Building Code of Australia Assessment Report for 8-20 Napier Street, North Sydney, prepared by McKenzie Group Consulting, Report 06731-03BCA and dated 28 March 2012.

A copy of the final fire safety certificate with the final Occupation Certificate (as specified in clauses 170 & 171 of the EP&A Regulation) must be provided to North Sydney Council. The final fire safety certificate shall be based on the approved essential fire safety measures installed in the building.

Note: The Certifying Authority has no power to remove the requirements to upgrade the existing building as required by this condition. This condition and non-compliances in the existing building may be addressed by alternate building solutions acceptable under Part A of the BCA.

(Reason: To ensure that the building has adequate measures for fire and life safety appropriate to use)

Tree Bond for Public Trees

- C18. A Security Bond of \$5,000 for protection of trees in public places shall be deposited with Council prior to the issue of a Construction Certificate. (See schedule below).

If any tree is removed or damaged Council shall deduct from this Bond the reasonable cost of replacement with a tree of the same species and to a similar stage of growth it would have attained at the completion of the work.

In the case of any tree, which cannot be replaced with a similar specimen, the Security Bond for that tree will be forfeited to Council and used to provide replacement street plantings.

SCHEDULE

London Plane Tree growing in the verge area of Napier Street outside the property.

(Reason: Protection of existing environment public infrastructure, community assets and significant trees)

Protection of Trees

C19. The following tree/trees are required to be retained as part of the development consent:

- London Plane Tree growing in the south eastern corner of the property.

The Certifying Authority must ensure that the construction drawings and specifications submitted by the Applicant fully satisfy the requirements of this condition.

(Reason: Protection of existing environmental and community assets)

Pruning

C20. Any tree pruning necessary for construction shall be carried out under the supervision of an appropriately qualified Arborist. Details prepared by an appropriately qualified person, on measures to be employed during construction indicating the nature of the pruning and limit any adverse long term effects on the tree shall be submitted to the Certifying Authority for approval prior to commencement of any work(s), and shall be adhered to for the duration of the works on the site.

(Reason: To ensure the protection and longevity of existing significant trees)

Garbage and Recycling Facilities

C21. Adequate provision shall be made for the storage of waste and recyclable material generated by the premises. The Certifying Authority must ensure that the construction drawings and specifications submitted by the Applicant, fully satisfy the requirements of this condition.

(Reason: To ensure the provision of appropriate waste facilities and to ensure efficient collection of waste by collection contractors)

Asbestos & Hazardous Material Survey

- C22. A survey of the existing building fabric that is proposed to be demolished and/or disturbed shall be undertaken identifying the presence or otherwise of asbestos contamination. Any works subsequently required to address asbestos contamination shall be undertaken in strict accordance with the requirements of the WorkCover Authority in relation to the removal, handling and disposal of material containing asbestos and Work Safe Australia.

The Certifying Authority must ensure that the construction specifications submitted by the Applicant, fully satisfy the requirements of this condition.

(Reason: To ensure the long term health of workers on site and occupants of the building is not put at risk unnecessarily)

Location of New Lift Plant

- C23. The plant and equipment associated with the new lifts are to be located within the basement or other areas of the building and is not to be located in the lift overrun. The Certifying Authority must ensure that the construction drawings and specifications submitted by the Applicant, fully satisfy the requirements of this condition.

(Reason: Minimise impact on surrounding properties)

Noise from Plant

- C24. A certificate from an Acoustic Engineer, who is a member or eligible to be a member of the Association of Australian Acoustical Consultants, must be submitted to the Certifying Authority certifying that the new mechanical cooling tower on the rooftop and mechanical plant associated with the new lifts will not exceed more than 5dB(A) above the background level during the day and evening and not exceeding the background level at night (10.00pm to 6.00 am) when measured at the boundary of the property, and will comply with the Environment Protection Authority Industrial Noise Policy.

The Certifying Authority must ensure that the construction drawings and specifications submitted by the Applicant fully satisfy the requirements of this condition.

(Reason: To comply with best practice standards for residential acoustic amenity)

Access for People with Disabilities

- C25. The building must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. The Certifying Authority must ensure that the construction drawings and specifications submitted by the Applicant, fully satisfy the requirements of this condition.

Note: If, in complying with this condition, amendments to the development are required, the design changes must be submitted for the approval of Council prior to commencement of work(s).

(Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards)

Security Bond Schedule

C26. All fees and security bonds in accordance with the schedule below must be paid or in place prior to the commencement of any work(s):

Security Bonds	Amount (\$)
Street Tree Bond (on Council Property)	5,000.00
Drainage Construction Bond	6,900.00
Engineering Construction Bond	16,500.00
TOTAL BONDS	\$28,400.00

(Reason: Compliance with the development consent)

Bonds

C27. Council will accept a bank guarantee for the purpose of any security bond imposed by these conditions of consent. Such bank guarantee shall be in a form acceptable to the Council and shall be in place prior to the commencement of any work(s) and shall remain in place until the submission of the certificate required prior to the occupancy of the completed works.

(Reason: Information, Protection of infrastructure and the environment)

Allocation of Car Parking Spaces

C28. Use of car spaces must be restricted to occupants of the building, excluding students, with the exception of nominated disabled parking spaces.

(Reason: Minimise motor traffic generation and to improve accessibility)

Green Travel Plan

C29. A Green Travel Plan is to be prepared and submitted to Council. The Plan must include details of public and alternative transport options for travelling to and from the site, and encourage the use of non-private vehicle transport modes by the staff, students and visitors for all of the ACU campus buildings in North Sydney. The Plan is to be prepared by a suitably qualified person and submitted to Council for approval by the Director of Engineering and Property Services prior to the issue of the Occupation Certificate. The Plan must include the following:

- a) A description of the location in context of alternative modes of transport and objectives for the Green Travel Plan;

- b) Provision of a designated 'manager' or 'champion' responsible for co-ordination and implementation of the Green Travel Plan;
- c) Staff and student welcome packs – including provision of Public Transport maps, timetables and/or real time information of nearby services (including train, buses, ferries, cycling and walking routes) to be provided to purchasers and/or occupiers upon occupation of a dwelling;
- d) Staff travel allowances as part of salary packages to encourage public transport use;
- e) Full details of other possible incentives and how they will be implemented;
- f) Details of bicycle parking facilities within the site and bicycle routes;
- g) Details of Green Travel Plan funding and management responsibilities, including ongoing monitoring and review;
- h) Details of annual reporting; and
- i) Provisions to be updated not less than every 2 years.

(Reason: Minimise motor traffic generation)

Paving

- C30. The paving of the building forecourt shall be upgraded to comprise non-slip surfaces, and include tactile indicators in accordance with relevant accessibility standards. The Certifying Authority must ensure that the construction drawings and specifications submitted by the Applicant fully satisfy the requirements of this condition.

(Reason: Quality public domain)

Protection of Trees

- D1. All trees that are to be specifically nominated to be retained by notation or condition as a requirement of development consent shall be maintained and protected during demolition, excavation and construction on the site. Protection methods shall be provided to the Principal Certifying Authority by an appropriately qualified person prior to commencement of any works on the site, and any recommendations (or methods) to ensure the protection of trees shall be undertaken for the duration of works on the site.

(Reason: To ensure compliance with the requirement to retain significant planting on the site)

Temporary Fences and Tree Protection

- D2. The protected tree on-site shall be tagged with luminous tape or the like for purposes of identification prior to excavation or construction, and no materials or builder's waste are to be stored in the vicinity of the tree.

(Reason: To protect the trees to be retained on the site during construction works)

Public Liability Insurance – Works on Public Land

- D3. Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$10 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for North Sydney Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

(Note: Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.)

(Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land)

E. During Demolition and Building Work

Cigarette Butt Receptacle

- E1. A cigarette butt receptacle is to be provided on the site for the duration of excavation/demolition/construction process, for convenient use of site workers.

(Reason: To ensure adequate provision is made for builders' waste)

Parking Restrictions

- E2. Existing public parking provisions in the vicinity of the site must be maintained at all times during works. The placement of any barriers, traffic cones, obstructions or other device in the road shoulder or kerbside lane is prohibited without the prior written consent of Council. Changes to existing public parking facilities/restrictions are only to be approved via the North Sydney Local Traffic Committee. The Applicant will be held responsible for any breaches of this condition, and will incur any fines associated with enforcement by Council regulatory officers.

(Reason: To ensure that existing kerbside parking provisions are not compromised during works)

Road Reserve Safety

- E3. All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works. Construction materials and plant must not be stored in the road reserve without approval. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site.

Where public infrastructure is damaged, repair works must be carried out in when and as directed by Council officers (at full Applicant cost). Where pedestrian circulation is diverted on to the roadway or verge areas, clear directional signage and protective barricades must be installed in accordance with AS1742-3 (1996) "Traffic Control Devices for Work on Roads". **If pedestrian circulation is not satisfactorily maintained across the site frontage, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**

(Reason: Public Safety)

Temporary Disposal of Stormwater Runoff

- E4. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems must be installed to reasonably manage and control runoff as far as the approved point of stormwater discharge. Such ongoing measures shall be to the satisfaction of the Principal Certifying Authority.

(Reason: Stormwater control during construction)

Council Inspection of Public Infrastructure Works

- E5. During the works on public infrastructure reverting to Council's care and control, Council's development engineer must undertake inspections of the works at the following hold points: -

- a) Vehicular crossing and associated road works, and
- b) Stormwater connection(s).

Further, all works shall proceed in accordance with Roads Act approvals issued by Council. A minimum of 48 hours notice must be given to Council to book an inspection. Work must not proceed until the works or activity covered by the inspection is approved.

(Reason: To ensure quality of construction joints and connections in the drainage system)

Removal of Extra Fabric

- E6. Should any portion of the existing building, trees, or curtilage of the site which is indicated on the approved plans to be retained be damaged for whatever reason, all the works in the area of the damaged portion are to cease and written notification given to Council. No work is to resume until the written approval of Council is obtained. Failure to comply with the provisions of this condition will result in the Council taking further action including legal proceedings if necessary.

(Reason: To ensure compliance with the terms of this development consent)

Dust Emission and Air Quality

- E7. Materials must not be burnt on the site.

Vehicles entering and leaving the site with soil or fill material must be covered.

Dust suppression measures must be carried out to minimise wind-borne emissions in accordance with the NSW Department of Housing's 1998 guidelines - Managing Urban Stormwater: Soils and Construction. Odour suppression measures must also be carried out where appropriate so as to prevent nuisance occurring at adjoining properties.

(Reason: To ensure residential amenity is maintained in the immediate vicinity)

Noise and Vibration

- E8. Noise and vibration from works is to be undertaken in accordance with industry best practice, to ensure excessive levels of vibration do not occur to minimise adverse effects experienced on any adjoining land.

(Reason: To ensure residential amenity is maintained in the immediate vicinity)

No Work on Public Open Space

- E9. The applicant shall not undertake any work within adjoining public lands (ie. Parks, Reserves, Roads etc) without the prior written consent of Council. In this regard the applicant is to liaise with Council prior to the commencement of any design works or preparation of a Construction and Traffic Management Plan.

(Reason: Protection of existing public infrastructure and land and to ensure public safety and proper management of public land)

Applicant's Cost of Work on Council Property

- E10. The applicant shall bear the cost of all works associated with the development that occurs on Council's property, including the restoration of damaged areas.

(Reason: To ensure the proper management of public land and funds)

No Removal of Trees on Public Property

- E11. No trees on public property (footpaths, roads, reserves, etc.) unless specifically approved in this consent shall be removed or damaged during construction including for the erection of any fences, hoardings or other temporary works.

(Reason: Protection of existing environmental infrastructure and community assets)

Special Permits

E12. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely on the property. The applicant, owner or builder must apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property pursuant to S138 of the Roads Act. A minimum of forty-eight (48) hours notice is required for any permit: -

1) **On-street mobile plant**

Eg. cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.

(Reason: Proper management of public land)

2) **Hoardings**

Permits are required to erect Class A and Class B hoardings. If an 'A' Class hoarding is to alienate a section of Council's property, that section will require a permit for the occupation of Council's property.

(Reason: Proper management of public land)

3) **Storage of building materials and building waste containers (skips) on Council's property**

Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space reserves and parks is prohibited.

(Reason: Proper management of public land)

4) **Kerbside restrictions, construction zones**

The applicant's attention is drawn to the existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a construction zone, the appropriate application must be made and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee and may take considerable time to be resolved. An earlier application is suggested to avoid delays in construction programs.

(Reason: Proper management of public land)

Construction Hours

- E13. Building construction shall be restricted to within the hours of 7.00 am to 5.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

Demolition and excavation works shall be restricted to within the hours of 8.00 am to 5.00 pm Monday to Friday only. For the purposes of this condition:

- i. "Building construction" means any physical activity on the site involved in the erection of a structure, cladding, external finish, formwork, fixture, fitting of service installation and the unloading of plant, machinery, materials or the like.
- ii. "Demolition works" means any physical activity to tear down or break up a structure (or part thereof) or surface, or the like, and includes the loading of demolition waste and the unloading of plant or machinery.
- iii. "Excavation work" means the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders, or the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site and includes the unloading of plant or machinery associated with excavation work.

The builder and excavator shall display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place adjoining the site.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

Out of Hours Work Permits

- E14. Where it is necessary for works to occur outside those hours allowed by these conditions, approval for such will be subject to issue of a permit on each occasion from Council's Customer Services Centre. Such occurrence shall be limited to two occasions per calendar month and shall only be approved if public safety or convenience is at risk. Any further variation shall require the lodgement and favourable determination of a modification application pursuant to Section 96 of the Environmental Planning and Assessment Act 1979.

Notes:

- 1) Failure to obtain a permit for work outside of the approved hours will result in on the spot fines being issued, or Council pursuing any action required (including legal proceedings) to have the out of hours work cease, without prior warning.
- 2) Further information on permits can be obtained from the Council website at www.northsydney.nsw.gov.au.

- 3) It is recommended that applications for permits be lodged as early as possible to allow sufficient time for determination by Council and avoid disruption or delay due to conflicting priorities.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

Site Amenities and Facilities

- E15. The provision and maintenance of amenities, at a site where work involved in the erection and demolition of a building is being carried out, must satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements. The type of work place determines the type of amenities required.

Further information and details can be obtained from the Internet at www.workcover.nsw.gov.au

(Reason: To ensure the health and safety of the community and workers on the site)

Health and Safety

- E16. The work undertaken must satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements to prepare a health and safety plan. Site fencing must be installed sufficient to exclude the public from the site. Safety signs must be erected that; warn the public to keep out of the site, and provide a contact telephone number for enquiries.

Further information and details regarding occupational health and safety requirements for construction sites can be obtained from the internet at www.workcover.nsw.gov.au

(Reason: To ensure the health and safety of the community and workers on the site)

Landscaping and Rehabilitation

- E17. Disturbed areas must be progressively stabilised and revegetated in accordance with the approved landscape plan as soon as practical after construction.

(Reason: To ensure that appropriate landscaping is undertaken within a reasonable timeframe in accordance with community expectations)

Community Information

- E18. Reasonable measures must be undertaken at all times by the proponent to keep nearby residents informed about the proposed work, such as by way of signs, leaflets, public meetings and telephone contact numbers, to ensure that adjoining residents are aware of the likely duration of the construction works on the site

(Reason: To ensure that residents are kept informed of activities that may affect their amenity)

Prohibition on Use of Pavements

- E19. Building materials shall not be placed on Council's footpaths, roadways, parks or grass verges, (unless a permit is obtained from Council beforehand) and a suitable sign to this effect shall be erected adjacent to the street alignment.

(Reason: To ensure public safety and amenity on public land)

Plant & Equipment Kept Within Site

- E20. All plant and equipment used in the erection of the building, including concrete pumps, wagons, lifts, mobile cranes, hoardings etc, shall be situated within the boundaries of the site (unless a permit is obtained from Council beforehand) and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries.

Details of Council requirements for permits on public land for standing plant, hoardings, storage of materials and construction zones and the like are available on Council's website at www.northsydney.nsw.gov.au.

(Reason: To ensure public safety and amenity on public land)

Waste Disposal

- E21. All records demonstrating the lawful disposal of waste will be retained and kept readily accessible for inspection by regulatory authorities such as North Sydney Council, the Department of Environment and Climate Change or WorkCover NSW.

(Reason: To ensure the lawful disposal of construction and demolition waste)

Service adjustments

- E22. Where required, the adjustment or inclusion of any new utility service facilities must be carried out by the person acting on the consent and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicant's full responsibility to make contact with the relevant utility authorities to ascertain the impacts of the proposal upon utility services at the appropriate stage of the development (including water, phone, gas and the like). Council accepts no responsibility whatsoever for any matter arising from its approval of this application involving any influence upon utility services provided by another authority.

(Reason: To ensure the service requirements are met)

F. Operational Conditions imposed under EP&A Act and Regulations and other relevant Legislation

Building Code of Australia

- F1. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

(Reason: Prescribed - Statutory)

Appointment of a Principal Certifying Authority (PCA)

- F2. Building work, demolition or excavation in accordance with the development consent must not be commenced until the person having the benefit of the development consent has appointed a PCA for the building work in accordance with the provisions of the EP&A Act and its Regulations.

(Reason: Statutory; To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

Occupation Certificate

- F3. A person must not commence occupation or use of the whole or any part of a new building (new building includes an altered portion of, or an extension to, an existing building) unless an Occupation Certificate has been issued in relation to the building or part. Only the PCA appointed for the building work can issue an Occupation Certificate.

(Reason: Statutory)

Commencement of Works

- F4. Building work, demolition or excavation in accordance with a development consent must not be commenced until the person having the benefit of the development consent has given at least 2 days notice to North Sydney Council of the persons intention to commence the erection of the building.

(Reason: Statutory; To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

Excavation/Demolition

- F5. Demolition work must be undertaken in accordance with the provisions of AS2601- Demolition of Structures.

(Reason: To ensure that work is undertaken in a professional and responsible manner and protect adjoining property and persons from potential damage)

Protection of Public Places

- F6. 1) If the work involved in the erection or demolition of a building:-
- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
 - b) building involves the enclosure of a public place,
- a hoarding and site fencing must be erected between the work site and the public place.
- 2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
 - 3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
 - 4) Any such hoarding, fence or awning is to be removed when the work has been completed.
 - 5) No access across public reserves or parks is permitted.

Note: Prior to the erection of any temporary fence or hoarding over property owned or managed by Council, written approval must be obtained. Any application needs to be accompanied by plans indicating the type of hoarding and its layout. Fees are assessed and will form part of any approval given. These fees must be paid prior to the approval being given. Approval for hoardings will generally only be given in association with approved building works, maintenance or to ensure protection of the public. An application form for a Hoarding Permit can be downloaded from Council's website.

(Reason: To ensure public safety and the proper management of public land)

Site Sign

- F7. 1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- a) stating that unauthorised entry to the work site is prohibited;
 - b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
 - c) showing the name, address and telephone number of the Principal Certifying Authority for the work.
- 2) Any such sign must be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed.

(Reason: Prescribed - Statutory)

G. *Prior to the Issue of an Occupation Certificate*

Infrastructure Repair and Completion of Works

- G1. Prior to issue of the final occupation certificate and return of any bond lodged with Council, all required works in the road reserve must be completed in full and any damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) must be fully repaired to the satisfaction of Council Engineers at no cost to Council.

(Reason: Maintain quality of Public assets)

Access for People with Disabilities

- G2. Prior to issue of any Occupation Certificate, provision shall be made for access and facilities for persons with a disability in accordance with the Building Code of Australia.

(Reason: Equitable access and facilities for people with a disability)

Noise from Plant

- G3. Prior to issue of the final Occupation Certificate, a certificate from an Acoustic Engineer is to be submitted to the Certifying Authority certifying that any mechanical plant has been installed so as not to exceed more than 5dB(A) above the background level during the day and evening and not exceeding the background level at night (10.00pm to 6.00 am) when measured at the boundary of the property, and will comply with the Environment Protection Authority Industrial Noise Policy.

(Reason: To ensure acoustic amenity)

Damage to Adjoining Properties

- G4. All precautions must be taken to prevent any damage likely to be sustained to adjoining properties. Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.

On completion of the works and prior to the issue of a final Occupation Certificate, a certificate is to be prepared to the effect that no damage has resulted to adjoining premises, and is to be provided to Council and the Principal Certifying Authority.

Alternatively, if damage is identified which is considered to require rectification, the damage shall be rectified or a satisfactory agreement for rectification of the damage is to be made with the affected person/s as soon as possible and prior to the issue of a final Occupation Certificate.

(Reason: To ensure adjoining owner's property rights are protected)

Utility Services

- G5. All utility services shall be adjusted, to the correct levels and/or location/s required by this consent, prior to issue of a final occupation certificate. This shall be at no cost to Council.

(Reason: To ensure compliance with the terms of this consent)

Regulated Systems- Air Handling

- G6. If a regulated air handling, water-cooling or warm-water system is to be installed, then the following apply:
- (a) an air-handling system, being a system designed for the purpose of directing air in a positive and controlled manner to and from specific enclosures by means of air-handling plant, ducts, plenums, air-distribution devices and automatic controls,
 - (b) a hot water system, being a system designed to heat and deliver water at a temperature of at least 60°C at each outlet point,

- (c) a humidifying system, being a system for adding moisture to air in order to raise its humidity,
- (d) a warm-water system, being a system designed to heat and deliver water at a temperature of less than 60°C at each outlet point,
- (e) a water-cooling system, being:
 - i. a device for lowering the temperature of water or other liquid by evaporative cooling, or
 - ii. an evaporative condenser that incorporates a device containing a refrigerant or heat exchanger, together with its associated equipment and pipe work,
- (f) any other system for the treatment of air or water that is declared by the regulations to be a regulated system for the purposes of this Division.
- (f) The occupier of premises at which a water-cooling system or warm-water system is installed must cause notice of that fact to be given to the person prescribed by the regulations in the approved form and in the manner prescribed by the regulations:
 - i. if the system is installed before he or she becomes the occupier, within one month after he or she becomes the occupier, or
 - ii. if the system is installed after he or she becomes the occupier, within one month after the system is installed.
- (g) The installation of any regulated system on the site must comply with the following:
 - i. AS/NZS 3666.1:2011 Air-handling and water systems of buildings – Microbial control – Design, installation and commissioning,
 - ii. AS/NZS 3666.2:2011 Air-handling and water systems of buildings – Microbial control – Operation and maintenance,
 - iii. AS/NZS 3666.3:2011 Air-handling and water systems of buildings – Microbial control – Performance-based maintenance of cooling water systems.

(Reason: To ensure public health is maintained; Statutory)

Asbestos Clearance Certificate

G7. Prior to issuing any Occupation Certificate for building works where asbestos based products have been removed or altered, an asbestos clearance certificate signed by an appropriately qualified person (being an Occupational Hygienist or Environmental Consultant) must be submitted to the Principal Certifying Authority (and a copy forwarded to Council) for the building work which certifies the following: -

- a) The building/ land is free of asbestos; or
- b) The building/ land has asbestos that is presently deemed safe.

The certificate must also be accompanied by tipping receipts, which detail that all asbestos waste has been disposed of at an approved asbestos waste disposal depot. If asbestos is retained on site the certificate must identify the type, location, use, condition and amount of such material.

Note: Further details of licensed asbestos waste disposal facilities can be obtained from www.dec.nsw.gov.au

(Reason: To ensure that building works involving asbestos based products are safe for occupation and will pose no health risks to occupants)

Disposal Information

G8. Upon completion of works and prior to occupation, the person entitled to act on this consent shall provide to Council's Open Space and Environmental Services Department a hard copy of the following information:

- (a) the total tonnage of all waste and excavated material disposed of from the site (including any tipping dockets); and
- (b) the disposal points and methods used.

(Reason: To ensure appropriate disposal methods are undertaken for auditing and inspection purposes)

I. On-Going / Operational Conditions

Separate Occupation

I1. The use of the premises for any food-based business, including coffee shops and cafeterias, shall be the subject of further development approval for such use or occupation.

(Reason: To ensure development consent is obtained prior to that use commencing)

Hours of Operation

I2. The premises may be open for business only between the following hours: -

Monday to Friday: 7am to 10pm
Saturday and Sunday: 8am to 6pm

(Reason: Information to ensure that amenity of the surrounding locality is maintained and hours of operation are consistent with those in surrounding locality)

Impact on Amenity of Surrounding Area – Non-Residential Areas

13. The implementation and intensity of this development shall not adversely affect the amenity of the neighbourhood by reason of excessive levels of illumination (internal or external) arising from the building materials or the use.

(Reason: To ensure that the amenity of the surrounding locality is not adversely affected by the nature of the approved activity)

Noise from Plant

14. The noise from plant shall not cause a sound level in excess of 5 dB(A) at any time above the background noise level at any point along the site boundaries.

(Reason: To ensure compliance with acceptable levels of noise established under best practice guidelines)

Noise Impact

15. The outdoor area associated with the use approved under this consent must not give rise to offensive noise within the meaning of the Protection of the Environment Operations Act 1997.

(Reason: To ensure compliance with acceptable levels of noise established under best practice guidelines)

Existing Dock

16. The existing loading dock shall be maintained and utilised for use in connection with the proposed development.

(Reason: To ensure that deliveries occur within the site and do not adversely affect traffic or pedestrian amenity)

Loading within Site

17. All loading and unloading operations shall be carried out wholly within the confines of the site, at all times.

(Reason: To ensure that deliveries can occur safely within the site and does not adversely affect traffic or pedestrian amenity)

Illumination Intensity

18. The level of illumination and/or lighting intensity used to illuminate the building is to be minimised to ensure that excessive light spill or nuisance is not caused to any nearby premises.

(Reason: To minimise amenity impacts on nearby properties)

No Entertainment

- I9. This approval does not authorise musical or other forms of entertainment. A separate development consent is required for any proposed entertainment.

(Reason: Clarification of terms of this consent and ensure compliance with relevant legislation)

Student Behaviour

- I10. The university shall take all steps necessary to ensure that no noise nuisance occurs from persons entering or leaving the premises.

(Reason: To ensure patrons do not interfere with the acoustic amenity of residents in the immediate locality)

Daily Cleaning

- I11. The university is to ensure that at all times when the campus is open and at the end of each day after the campus has closed, all rubbish including loose papers, cigarette butts, bottles etc which may be left on the subject area or immediately adjacent is picked up and placed in the university's rubbish bins.

(Reason: To ensure waste generated by the approved use or activity is properly managed by the person acting upon this consent, to prevent unsightly build up of waste material)

Waste Collection

- I12. Waste and recyclable material, generated by this premises, must not be collected between the hours of 10pm and 6am on any day.

(Reason: To ensure the acoustic amenity of surrounding properties)

Delivery Hours

- I13. No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 6am on any day.

(Reason: To ensure the acoustic amenity of surrounding properties)

Glazing to be Kept Clear

- I14. The glazing of the southern third of the building addition in the forecourt, at Level 4 (ground level) and the balustrade of the Level 5 terrace must be kept clear and transparent at all times. The glazing must be kept clear of any posters, banners, screens, decals, stickers, awnings, flags, or the like.

(Reason: Maximise visual curtilage to Don Bank Museum)

Use of Level 5 Terrace

I15. Use of the Level 5 terrace is to comply with the following:

- a) The terrace must be vacated and closed by 10pm unless otherwise approved by Council.
- b) Speakers must not be placed on, or amplified music played in, the terrace.
- c) No sale, service and/or consumption of alcohol is permitted on the terrace.
- d) The terrace balustrade is to be kept clear and visually permeable. No posters, stickers, flags, banners, or the like, temporary or otherwise, are to be affixed or attached to the balustrade.
- e) Furniture placed within the terrace must not exceed the height of the balustrade.

(Reason: To protect amenity and visual curtilage of Don Bank Museum)

Primary Access via Napier Street

I16. Napier Street is to be maintained as primary access and egress for the site. The following pedestrian and site access management measures are to be implemented at all times:

- a) Appropriate directional signage is to be installed informing users of the site that the primary entry and exit are located at Napier Street. General access to and from the site via Oak Street is to be discouraged.
- b) A "Stop" sign and "Give Way to Pedestrians" sign are to be installed at the car park exit and driveway exit onto Oak Street.

(Reason: Residential amenity)